



Reprinted
January 27, 2006

SENATE BILL No. 92

DIGEST OF SB 92 (Updated January 26, 2006 3:23 pm - DI 75)

Citations Affected: IC 2-5; IC 9-16; noncode.

Synopsis: License branch operation. Establishes the license branch operation and closure commission to study all aspects of the operation of license branches. Requires the commissioner of the bureau of motor vehicles to submit to the commission a detailed report to the commission before a license branch may be closed or relocated. Provides that the bureau of motor vehicles may not implement a proposal to close, relocate, or reduce the operating hours of, a license branch until the commissioner responds to the commission's recommendations. Requires the commission to study and determine the efficacy of the closing of named license branches.

Effective: July 1, 2006.

Paul, Hume, Rogers

January 9, 2006, read first time and referred to Committee on Commerce and Transportation.
January 19, 2006, amended, reported favorably — Do Pass.
January 23, 2006, read second time, ordered engrossed. Engrossed.
January 24, 2006, returned to second reading.
January 24, 2006, read third time, call withdrawn. Reread second time.
January 26, 2006, amended, ordered engrossed.

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SB 92—LS 6371/DI 75+



Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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SENATE BILL No. 92

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 2-5-28 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2006]:
4 **Chapter 28. License Branch Operation and Closure Commission**
5 **Sec. 1. Except as provided in this chapter, the definitions in**
6 **IC 9-13-2 apply throughout this chapter.**
7 **Sec. 2. As used in this chapter, "commission" refers to the**
8 **license branch operation and closure commission established by**
9 **section 3 of this chapter.**
10 **Sec. 3. The license branch operation and closure commission is**
11 **established.**
12 **Sec. 4. The commission consists of the following:**
13 **(1) Four (4) members of the senate appointed by the president**
14 **pro tempore of the senate. Not more than two (2) members**
15 **appointed under this subdivision may be members of the same**
16 **political party.**
17 **(2) Four (4) members of the house of representatives**



1 appointed by the speaker of the house of representatives. Not
 2 more than two (2) members appointed under this subdivision
 3 may be members of the same political party.

4 The president pro tempore of the senate shall designate one
 5 member to serve as chairperson of the commission.

6 Sec. 5. The commission shall study all aspects of the operation
 7 of license branches.

8 Sec. 6. (a) Before the bureau may close, relocate, or reduce the
 9 operating hours of a license branch, the commissioner must submit
 10 to the commission a detailed report describing the proposal and the
 11 reasons for the proposal.

12 (b) Upon receiving a report under this section, the commission's
 13 chair shall call a meeting of the commission to act upon the report.
 14 The commission shall act upon the report not later than sixty (60)
 15 days after submission by the commissioner.

16 (c) The bureau may not implement the proposal until the
 17 commissioner responds to the commission's recommendation.

18 Sec. 7. The commission shall operate under the policies
 19 governing study committees adopted by the legislative council.

20 SECTION 2. IC 9-16-1-2 IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) The commission shall operate
 22 or be responsible for the administration of all license branches in
 23 Indiana under this article.

24 (b) Operation of license branches are subject to this article and
 25 IC 2-5-28.

26 SECTION 3. [EFFECTIVE JULY 1, 2006] (a) As used in this
 27 SECTION, "commission" refers to the license branch operation
 28 and closure commission established by IC 2-5-28, as added by this
 29 act.

30 (b) The commission shall study and determine the efficacy of the
 31 closing of the license branches at the following locations:

- 32 (1) Bicknell.
- 33 (2) Brownstown.
- 34 (3) Butler.
- 35 (4) Cambridge City.
- 36 (5) Cayuga.
- 37 (6) Chesterton.
- 38 (7) Churubusco.
- 39 (8) Clay City.
- 40 (9) Dunkirk.
- 41 (10) Elwood.
- 42 (11) Garrett.

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- 1 **(12) Gary.**
- 2 **(13) Hagerstown.**
- 3 **(14) Knightstown.**
- 4 **(15) Lowell.**
- 5 **(16) Middletown.**
- 6 **(17) Montpelier.**
- 7 **(18) Mooresville.**
- 8 **(19) Morristown.**
- 9 **(20) Mount Vernon.**
- 10 **(21) Newburgh.**
- 11 **(22) North Judson.**
- 12 **(23) North Manchester.**
- 13 **(24) Odon.**
- 14 **(25) Ossian.**
- 15 **(26) Parker City.**
- 16 **(27) Rockport.**
- 17 **(28) Summitville.**
- 18 **(29) Syracuse.**
- 19 **(30) Union City.**
- 20 **(31) Warren.**
- 21 **(c) The commission shall include the results of the study in the**
- 22 **commission's report to the legislative council.**
- 23 **(d) This SECTION expires January 1, 2007.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Transportation, to which was referred Senate Bill No. 92, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 2-5-28 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]:

Chapter 28. License Branch Operation and Closure Commission

Sec. 1. Except as provided in this chapter, the definitions in IC 9-13-2 apply throughout this chapter.

Sec. 2. As used in this chapter, "commission" refers to the license branch operation and closure commission established by section 3 of this chapter.

Sec. 3. The license branch operation and closure commission is established.

Sec. 4. The commission consists of the following:

(1) Four (4) members of the senate appointed by the president pro tempore of the senate. Not more than two (2) members appointed under this subdivision may be members of the same political party.

(2) Four (4) members of the house of representatives appointed by the speaker of the house of representatives. Not more than two (2) members appointed under this subdivision may be members of the same political party.

Sec. 5. The commission shall study all aspects of the operation of license branches.

Sec. 6. (a) Before the bureau may close or relocate a license branch, the commissioner must submit to the commission a detailed report describing the proposal and the reasons for the proposal.

(b) Upon receiving a report under this section, the commission's chair shall call a meeting of the commission to act upon the report. The commission shall act upon the report not later than sixty (60) days after submission by the commissioner.

(c) The bureau may not implement the proposal until the commissioner responds to the commission's recommendation.

Sec. 7. The commission shall operate under the policies governing study committees adopted by the legislative council."

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Page 1, delete lines 5 through 11, begin a new paragraph and insert:
"(b) Operation of license branches are subject to this article and IC 2-5-28.

SECTION 3. [EFFECTIVE JULY 1, 2006] (a) As used in this SECTION, "commission" refers to the license branch operation and closure commission established by IC 2-5-28, as added by this act.

(b) The commission shall study and determine the efficacy of the closing of the license branches at the following locations:

- (1) Bicknell.**
- (2) Brownstown.**
- (3) Butler.**
- (4) Cambridge City.**
- (5) Cayuga.**
- (6) Chesterton.**
- (7) Churubusco.**
- (8) Clay City.**
- (9) Dunkirk.**
- (10) Elwood.**
- (11) Garrett.**
- (12) Gary.**
- (13) Hagerstown.**
- (14) Knightstown.**
- (15) Lowell.**
- (16) Middletown.**
- (17) Montpelier.**
- (18) Mooresville.**
- (19) Morristown.**
- (20) Mount Vernon.**
- (21) Newburgh.**
- (22) North Judson.**
- (23) North Manchester.**
- (24) Odon.**
- (25) Ossian.**
- (26) Parker City.**
- (27) Rockport.**
- (28) Summitville.**
- (29) Syracuse.**
- (30) Union City.**
- (31) Warren.**

(c) The commission shall include the results of the study in the commission's report to the legislative council.

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(d) This SECTION expires January 1, 2007."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 92 as introduced.)

LANDSKE, Chairperson

Committee Vote: Yeas 8, Nays 0.

SENATE MOTION

Madam President: I move that Senator Hume be added as coauthor of Engrossed Senate Bill 92.

PAUL

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Engrossed Senate Bill 92.

PAUL

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 92, which is eligible for third reading, be returned to second reading for purposes of amendment.

PAUL

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 92 be amended to read as follows:

Page 2, between lines 3 and 4, begin a new line blocked left and insert: **"The president pro tempore of the senate shall designate one member to serve as chairperson of the commission."**

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Page 2, line 6, delete "close or" and insert "**close**".

Page 2, line 6, after "relocate" insert ", **or reduce the operating hours of**".

(Reference is to ESB 92 as printed January 20, 2006.)

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